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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
08/711,339	09/06/96	BINGGELI	A 4019/135
EXAMINER			

GEORGE W JOHNSTON  
HOFFMANN-LA ROCHE INC  
340 KINGSLAND STREET  
MUTLEY NJ 07110-1199

HM12/0308

ART UNIT	PAPER NUMBER
1613	

DATE MAILED: 03/08/99

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

### OFFICE ACTION SUMMARY

- ☒ Responsive to communication(s) filed on 12-28-98
- ☐ This action is FINAL.
- ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 2 month(s) or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

#### Disposition of Claims

- ☒ Claim(s) 1-137 is/are pending in the application.
- Of the above, claim(s) (1-11, 20, 30, 31, 35-37, 42-45, 47, 48-50, 51, 52-54, 57, 58-60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 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Art Unit: 1617

This application is in condition for allowance except for the following formal matters:

The presence of non elected subject matter in the claims.

The Office action dated September 25, 1998 indicates the elected and non elected subject matter of the claims (See page 2 of the Office action). As applicant has petitioned the restriction requirement with the petition being denied, applicant should limit the claims to the subject matter indicated as being examined. Failure to limit the claims to the elected subject matter may result in the <sup>abandonment</sup> ~~document~~ of this application.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

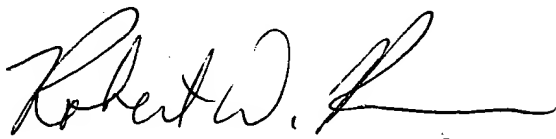
A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication should be directed to Examiner R. W.

Ramsuer at telephone number (703) 308-4534.

RAMSUER:tcj

March 4, 1999

  
Robert W. Ramsuer  
Art Unit 1613